

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

TIARE TECHNOLOGY, INC.,

Plaintiff,

v.

Civil Action No. 2:22-cv-0016

YADAV ENTERPRISES, INC.,  
YTC ENTERPRISES, LLC,

Defendants.

**AFFIDAVIT OF RICHARD PAWLOWSKI**

I, Richard Pawlowski, am over the age of eighteen and understand the obligations of an oath. Being duly sworn, I hereby state the following:

1. I am the Chief Financial Officer of YTC Enterprises, LLC (the "Company"). I became employed in this capacity in July 2021 and have managed the Company's financials and maintained its active status with the State of Delaware since that time. I am competent to testify to the matters contained herein.

2. I am a resident of California and have been for the past approximately nine (9) years.

3. The Company incorporated in Delaware in 2021 and has always operated in and had its principal place of business located in San Antonio, Texas.

4. The Company's business is that of a holding company that owns shares in other entities, including Taco Cabana Inc. The Company purchased all outstanding shares of Taco Cabana, Inc. from Fiesta Restaurant Group, Inc. in August 2021. Taco Cabana, Inc. is a Delaware corporation that owns several other entities which in turn each own and operate various aspects of the Taco Cabana brand's business, including real estate holdings, business licenses and accounting among others.

5. The Company maintains one office location within the State of Texas, specifically in San Antonio. The Company has maintained this location for approximately nine (9) months and it is used for bookkeeping and general record keeping for other entities in which the Company has ownership interests, such as those described in paragraph 4.

6. The Company does not sell any products, nor does it directly own or operate any stores which sell the Taco Cabana application or the Accused Products within the State of Texas generally or within this District specifically.

7. The Company does not directly own or operate the Taco Cabana website.

8. The Company applied to do business in the State of Texas in July 2021, approximately nine (9) months ago and was approved.

9. The Company does not sell the Taco Cabana application as such term is defined in the Complaint.

10. The Company does not distribute the Accused Products as such term is defined in the Complaint. The Company does not provide mobile ordering as any of its services.

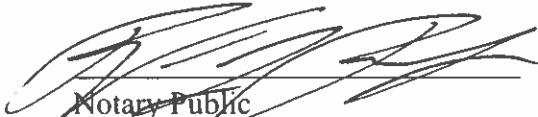
11. The Company is a holding company which owns shares in other business entities but does not itself conduct any business or have any contact with consumers or customers.

SIGNED UNDER PENALTY OF PERJURY

  
Richard Pawlowski

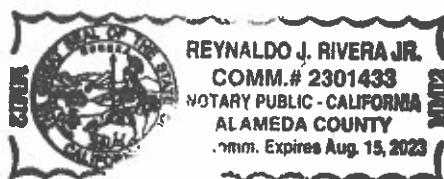
3550 Mowry Avenue, Suite 301  
Fremont, CA 94538  
(510) 792-3393 (p)

Subscribed and sworn to before me this 13<sup>th</sup> day of April, 2022.

  
Notary Public

Printed Name: Reynaldo J. Rivera Jr.

[SEAL]



This certificate is attached to a 2 page document dealing with/entitled Affidavit and dated 04/13/2022.

## California ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Alameda

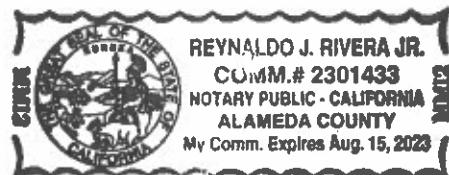
On April 13<sup>th</sup>, 2022 before me,

Reynaldo J. Rivera Jr. Notary Public (here insert name and title of the officer),

personally appeared Richard Pawlowski, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(jes); and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

(Seal)

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